

ASSIGNED

Serial No. 12523

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of first receipt and filing in State Engineer's office JUL 1 1948
Returned to applicant for correction
Corrected application filed

The undersigned Fred L. Cole, Elcey Cole Williams and Florence Livingston as administratrix of the estate of Florence L. Tonopah, County of Nye, Kirchen, of

State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is a Pond in the S.W. $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 23. T. 8 N. R. 43 E.

Name of stream, lake, or other source

One second-foot equals 40 miners' inches

2. The amount of water applied for is Two (2) second-feet.

3. The water to be used for Mining.

Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:

S. 40° 50' W. 3005 ft. from the $\frac{1}{4}$ corner between Sec. 14 and

Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.

Sec. 23 T. 8 N. R. 43 E.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

a) Number of acres to be irrigated is

b) Description of land to be irrigated

Describe by legal subdivision; or if on unsurveyed land, it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

c) Use will begin about _____ and end about _____, of each year.

MonthMonth**IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:**

d) Power to be developed is horsepower.

e) Place of use at the point of diversion

Give location of place of use by legal subdivision

f) Point of return of water to stream at the point of diversion

Describe in same manner as point of diversion

g) State number and kinds of animals to be watered

h) Use will begin about Jan. 1st and end about Dec. 31st, of each year.

MonthMonth

i) Remarks

DESCRIPTION OF PROPOSED WORKS

Water to be pumped from pond with Gasoline engine and used to wash gravel.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$500

6. Estimated time required to construct works 30 days

7. Remarks

For use of applicant

Fred L. Cole, Elcey Cole Williams, and Florence Livingston, Executrix
of Estate of Florence L. Kirchen, deceased
, Applicant.

By Fred L. Cole

Compared HE-40

This sheet inspected

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 2.0 cubic feet of water per second herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second.

Actual construction work shall begin on or before June 28, 1949

Proof of commencement of work shall be filed before July 28, 1949

Work must be prosecuted with reasonable diligence and be completed on or before June 28, 1950

Proof of completion of work shall be filed before July 28, 1950

Application of water to beneficial use shall be made on or before June 28, 1951. Proof of the application of water to beneficial use must be filed with State Engineer on or before July 28, 1951

Map Filed JUL 1 2 1948 under 12419
Proof of commencement of work filed OCT 1 4 1949 WITNESS MY HAND AND SEAL this 10th day
Proof of Completion of work filed OCT 1 4 1949
PROOF OF BENEFICIAL USE FILED OCT 1 4 1949 of January, 1949

Certificate No. 3398 Issued Jan 18 1950 for 2.0 cts/lm. Mining
Received Feb 11 1950 Bk 2 Page 249
NYC Water Dept.
County Records

ALFRED MERRITT SMITH

State Engineer

HUGH J. SHAMBERGER-ASS'T St. Eng.